

Introduced by Senator Hollingsworth
(Coauthor: Assembly Member Plescia)

February 22, 2005

An act to amend Section 68075 of the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 1040, as introduced, Hollingsworth. Public postsecondary education: resident classification.

Existing law establishes uniform student residency requirements for purposes of ascertaining the amount of tuition and fees to be paid by students of public postsecondary education institutions. Existing law entitles an undergraduate student at a campus of the California State University or the California Community Colleges to resident classification for the purpose of determining tuition and fees, if that student is a member of the armed forces of the United States stationed in this state on active duty. Existing law entitles a graduate student at the California State University to resident classification for the purpose of determining tuition and fees, for no more than one academic year, if that student is a member of the armed forces of the United States stationed in this state on active duty. Members of the armed forces assigned for educational purposes to a state-supported institution of higher education are excepted from these residency classifications. Existing law requests the Regents of the University of California to establish the same residency requirements for students enrolled at the University of California.

This bill would eliminate the one-year limitation on resident classification for graduate students, and would additionally entitle members of the military reserves and military veterans, as defined, as well as members of the immediate families of those persons, as

defined, to resident classification. The bill would request the Regents of the University of California to establish the same residency requirements as those established by this bill for students enrolled at the University of California.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 68075 of the Education Code is
2 amended to read:

3 68075. (a) An undergraduate student who is a member of the
4 armed forces of the United States stationed in this state on active
5 duty, ~~except a member of the armed forces reserves, a veteran,~~
6 ~~as defined in Section 88113, or a member of his or her immediate~~
7 ~~family, other than a member of the armed forces assigned for~~
8 educational purposes to a state-supported institution of higher
9 education, is entitled to resident classification only for the
10 purpose of determining the amount of tuition and fees.

11 (b) A student seeking a graduate degree who is a member of
12 the armed forces of the United States stationed in this state on
13 active duty, ~~except a member of the armed forces reserves, a~~
14 ~~veteran, as defined in Section 88113, or a member of his or her~~
15 ~~immediate family, other than a member of the armed forces~~
16 assigned for educational purposes to a state-supported institution
17 of higher education, shall be entitled to resident classification
18 only for the purpose of determining the amount of tuition and
19 fees ~~for no more than one academic year, and shall thereafter be~~
20 ~~subject to Article 5 (commencing with Section 68060).~~

21 (c) As used in this section, “member of his or her immediate
22 family” includes the spouse, children, stepchildren, and wards of
23 the armed forces member, reserve member, or veteran, as well as
24 any persons for whom the armed forces member, reserve
25 member, or veteran is a legal guardian. As used in this section,
26 “member of his or her immediate family” does not include a
27 cousin, uncle, aunt, niece, or nephew of the armed forces
28 member, reserve member, or veteran.

29 SEC. 2. The Legislature hereby requests the Regents of the
30 University of California to establish the same residency
31 classifications for students enrolled at the University of

- 1 California as those enacted by Section 68075 of the Education
- 2 Code, as amended by Section 1 of this act.

O